

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	CASE NO. 8:04CR246
)	
vs.)	
)	ORDER
ANDREE ARTIS,)	
)	
Defendant.)	

This matter is before the Court on the Court's own motion pending the resentencing hearing scheduled on Monday, May 2, 2005.

On or before Thursday, April 28, 2005, each party shall file a sentencing brief using the Presentence Investigation Report ("PSR") filed on December 17, 2004, as a basis for discussion. The Court is particularly interested in the interpretation to be given to the following sentence, specifically as the sentence relates to the enhancements in this case appearing in ¶¶ 38-40 of the PSR: "Any fact (other than a prior conviction) which is necessary to support a sentence exceeding the maximum authorized by the facts established by a plea of guilty or a jury verdict must be admitted by the defendant or proved to a jury beyond a reasonable doubt." *United States v. Booker*, 125 S. Ct. 738, 756 (2005). The parties may also address any other issues deemed relevant to resentencing.

IT IS ORDERED that on or before April 28, 2005, each party shall file a sentencing brief addressing the issue outlined above as well as any additional issues relevant to resentencing.

DATED this 25th day of April, 2005.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge